

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
**CIVIL MINUTES – GENERAL**

Case No. **2:25-cv-03984-MCS-SK**

Date August 21, 2025

Title ***Chandra v. Prager Univ. Found.***

Present: The Honorable Mark C. Scarsi, United States District Judge

Stephen Montes Kerr

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (IN CHAMBERS) ORDER RE: MOTIONS TO DISMISS AND FIRST  
AMENDED COMPLAINT (ECF Nos. 19, 21, 25)**

Defendant Prager University Foundation filed a motion to dismiss the original complaint of Plaintiff Sylvia Chandra. (Mot. to Dismiss Compl., ECF No. 19.) After Defendant filed the motion, Plaintiff Chandra filed an amended complaint as a matter of course that adds Plaintiff Damany Browne as a party. (FAC, ECF No. 21); *see* Fed. R. Civ. P. 15(a)(1). Defendant thereafter filed a motion to dismiss the amended complaint. (Mot. to Dismiss FAC, ECF No. 25.) The Court deems both motions appropriate for decision without oral argument and vacates the hearings set for September 8 and 29, 2025. Fed. R. Civ. P. 78(b); C.D. Cal. R. 7-15.

The motion to dismiss the original complaint is denied as moot. *See, e.g., Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992) (“[A]fter amendment the original pleading no longer performs any function and is treated thereafter as non-existent . . . .” (internal quotation marks omitted)); *Andreatta v. Eldorado Resorts Corp.*, 214 F. Supp. 3d 943, 949 n.1 (D. Nev. 2016) (denying as moot motion to dismiss complaint subsequently amended as a matter of course).

Plaintiffs’ amended complaint is unaccompanied by a redline showing all changes made to the pleading. (Initial Standing Order § 13, ECF No. 11.) The Court orders Plaintiffs to file a redline within seven days.

The Court denies the motion to dismiss the amended complaint for failure to comply with the local rules governing motion practice. C.D. Cal. R. 7-4; *see Christian v. Mattel, Inc.*, 286 F.3d 1118, 1129 (9th Cir. 2002) (“The district court has considerable latitude in managing the parties’ motion practice and enforcing local rules that place parameters on briefing.”). The motion is unaccompanied by a proposed order, C.D. Cal. R. 7-20, or a declaration certifying compliance with the prefiling conference requirement, *id.* R. 7-3. The latter issue is salient; having reviewed the motion, the Court is confident that this is among the “[m]any motions to dismiss . . . [that] can be avoided if the parties confer in good faith . . . , especially where perceived defects in a complaint . . . could be corrected by amendment.” (Initial Standing Order § 10(a).)

Defendant shall file its response to the amended complaint within 14 days. If Defendant seeks to renew its Rule 12 motion, it must provide a declaration establishing strict compliance with Local Rule 7-3.

**IT IS SO ORDERED.**